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Commerce Committee Testimony – SB 99

February 22, 2022

Co-Chairs Senator Hartley and Representative Currey, Ranking Members Senator Martin and Representative Buckbee and distinguished members of the Commerce Committee - I appreciate the opportunity to testify with respect to SB 99 - AN ACT ESTABLISHING A WORKING GROUP TO STUDY REMOTE NOTARIAL ACTS AND THE REVISED UNIFORM LAW ON NOTARIAL ACTS. I support the bill in its current form and would caution the Committee from making any substantive changes to notary laws this legislative session until this working group has had an opportunity to meet and offer recommendations.

As the Committee will likely recall from my prior testimony on this issue, in addition to serving as State Representative, I am an attorney with close to 20 years experience and an active real estate closing and estate planning practice, and in my role as Chair of the Banking Committee, I often also pay close attention to issues of consumer protection in the realm of financial transactions. As I shared with the Committee last year, I do have some concerns that the process of remote notarization, while certainly providing some convenience for consumers, could represent a significant departure from the way legal documents are currently executed in Connecticut. If not implemented properly, it has the potential to eliminate critical safeguards against fraud and undue influence in the execution of legal documents and furthermore has the potential to encourage people to execute important legal documents without the advice and guidance of an attorney.

The current draft of the bill appears very similar to the version which passed out of Committee last year, and as such I would support it and I am happy to offer my assistance to the working group in the coming months. However, until this working group convenes and thoroughly reviews all of the related issues, I do not believe we are in a position to make any changes to our notary laws during this short session.

Thank you for your time and your consideration.